

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2222 www.pbwt.com

October 30, 2019

Daniel S. Ruzumna
Partner
(212) 336-2034
druzumna@pbwt.com

By E-Mail

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, New York 10007

Re: ***United States v. Anilesh Ahuja, et al.,***
18 Cr. 328 (KPF)

Dear Judge Failla:

On behalf of defendant Jeremy Shor, we respectfully write to request a two-day extension of time to submit a sentencing memorandum. We are *not* requesting an adjournment of the sentencing date. Pursuant to Rule 7(B) of your Individual Rules of Practice in Criminal Cases, Mr. Shor's sentencing submission is currently due on Monday, November 4, 2019. This is our first request for an extension of time, to which the Government consents.

On Monday, we received the final pre-sentence investigative report for Mr. Shor (the "PSR"). (*See* Dkt. No. 290.) The PSR disclosed, for the first time, that the Government had retained an expert to calculate investor losses by creating a model that compared PPI's restated returns in the Mortgage Credit Fund to the returns of six additional "benchmark funds." (*See id.* at 33-34.) Beyond a general description of this "model" in the PSR, we had not received an expert report or any data underlying their expert's calculations. We requested this information from the Government and today received an excel file containing nearly twenty sheets of calculations and data regarding alleged investor losses under the expert's benchmark-comparison model. Given the complexity of the information provided, we request an additional two days to provide our sentencing submission so that we can review this analysis.

Respectfully submitted,



Daniel S. Ruzumna

cc: Andrea M. Griswold, Esq.
Joshua A. Naftalis, Esq.
Max Nicholas, Esq.

Application GRANTED.

Dated: October 31, 2019
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE